

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
FEBRUARY 21, 1973

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, February 21, 1973, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - HUGHES (arrived 8:03 p.m.),
KATNICH, SCHAFFER and
EHRHARDT (Mayor)

Absent: Councilmen - PINKERTON

Also present: City Manager Henry Glaves, City
Attorney Robert Mullen, Planning Director James
Schroeder and Public Works Director Shelley Jones.

INVOCATION

The invocation was given by Mayor Ehrhardt.

PLEDGE

Mayor Ehrhardt led the Pledge of Allegiance to the flag.

HUGHES ARRIVED

Councilman Hughes arrived.

PUBLIC HEARINGS

REZONE
ONE ACRE
S. SIDE IRIS
DRIVE

ORD. NO. 998
INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Ehrhardt called for the public hearing on the recommendation of the Planning Commission to rezone a one-acre parcel located on the south side of Iris Drive 323 feet west of the west right-of-way line of South Ham Lane from the R-1, Single Family Residential District to the R-GA, Garden-Apartment Residential District.

Planning Director Schroeder presented a drawing of the area proposed for rezoning and discussed the proposal.

Mr. Lester Liddicoat, 1500 Iris Drive, spoke in favor of the rezoning.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

After Council discussion, Councilman Schaffer moved the introduction of Ordinance No. 998 rezoning a one-acre parcel located on the south side of Iris Drive 323 feet west of the west right-of-way line of South Ham Lane to be in the R-GA, Garden-Apartment Residential District. The motion was seconded by Councilman Katnich and carried.

GRAND AUTO
APPEAL
DENIED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Ehrhardt called for the public hearing on the appeal of Attorney Lindsay P. Marshall

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on behalf of Grand Auto, Inc., from the decision of the Planning Commission in denying their request to amend the permitted Use List in the C-1 Neighborhood Commercial District to permit enclosed, automated car washes in conjunction with automobile service stations after first securing a Use Permit.

Planning Director Schroeder introduced the matter and discussed the request of Grand Auto, Inc. to amend the Use List. Mr. Schroeder reviewed for the Council the action of the Planning Commission on this request.

City Attorney Mullen pointed out it would require a four-fifths vote of the Council, or unanimous vote of those present at this meeting, to overrule the action of the Planning Commission.

The following persons spoke in favor of the request:

1. Attorney Lindsay P. Marshall, 404 West Pine Street, representing Grand Auto, Inc. Attorney Marshall said the request at this time was only to amend the Use List in the C-1 District to permit enclosed, automated car washes. He said this type of use would be compatible with C-1 uses. Mr. Marshall presented a short film showing Grand Auto's operation located in Oakland and said the Lodi operation would be very similar.
2. Mr. Lloyd Leotterle, Grand Auto Property Department, 700 Independent Drive, Oakland. Mr. Leotterle said he felt traffic flow would not be a problem with respect to their proposed operation.
3. Mr. John Labno, 1008 Inverness Way, Sunnyvale. Mr. Labno, Sound Engineer for Grand Auto, said he had conducted a sound level study at Grand Auto's location in Sacramento and he felt noise would not be a problem at the Lodi operation.

The following persons spoke in opposition to the appeal:

1. Mr. Kevin Reilly, 100 East Lodi Avenue. He said he was opposed to automated car washes being located in the C-1 District because of the traffic and noise that would be generated by the operation. He felt approval of the request would not be consistent with good planning principles.
2. Mr. James McCarty, 811 Dianna Drive. Mr. McCarty said he felt if the enclosed car wash were approved at the Grand Auto location, additional traffic would occur on Chestnut Street which was not designed to carry such traffic.
3. Mr. Clifford Beck, 312 Chestnut Street. Mr. Beck was opposed to the proposal because of the possibility of additional noise and traffic.
4. Mr. Emil Dais, 311 Chestnut Street. He was opposed because of the traffic congestion which he felt would occur.

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5. Attorney John Partridge, 630 North Hunter Street, Stockton, representing Kevin Reilly. Mr. Partridge reviewed the history of Grand Auto's request and said he felt the automated car wash was definitely not a neighborhood-type use. He also cited the traffic problems he felt would be created by approval of the request.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

After consideration by the Council, Councilman Schaffer moved the appeal of Attorney Lindsay P. Marshall on behalf of Grand Auto, Inc. be denied. The motion was seconded by Councilman Katnich and carried.

RECESS

Mayor Ehrhardt declared a five-minute recess at 9:20 p.m. The Council reconvened at 9:25 p.m.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of February 12, 1973:

ACTIONS OF INTEREST

1. Reviewed the status of a 13-acre shopping center site bounded by Turner Road, North Sacramento Street, Louie Avenue and North Church Street in an area zoned C-S, Commercial Shopping District, and
 - a. Heard a presentation from Mr. William Miller who said the shopping center would be in construction within 60 days, and
 - b. Set a Public Hearing for Monday, August 13, 1973, to rezone the site to a residential use if no action on the shopping center has occurred.
2. Took the following action on the request of Mobile Park Properties for a Use Permit to add 60 additional mobilehome sites to Almond Drive Estates, an existing 68-unit mobilehome park on the north side of Almond Drive, approximately 600 feet west of Cherokee Lane in an area zoned R-HD, High Density Multiple-Family Residential:
 - a. Accepted the Environmental Impact Report for the project and determined that it would cause no significant environmental impact.
 - b. Approved the Use Permit with five conditions.
3. Accepted the Environmental Impact Report for English Oaks Manor, a 175-acre, 1100-unit development at the northwest corner of South Hutchins Street and Harney Lane in an area zoned Planned Development District No. 4 and determined that the project would cause no significant environmental impact with the following conditions:

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- a. That the developer, Westmont Development Company, provide an amendment to the Environmental Impact Report concerning the final disposition of all living oak trees within the tract, and
 - b. That at the time the shopping center, which is only a part of the over-all development, is ready to proceed, the developers shall file an addendum to the accepted EIR concerning the impact of the center on surrounding properties and the environment.
4. Accepted the Environmental Impact Report for the Hixson Tract, a 2-acre, 10-lot development located on the south side of West Tokay Street at Alto Way in an area zoned R-2, Single-Family Residential and determined that the project will have no significant environmental effect.
 5. Conditionally approved the request of the First Baptist Church of Lodi by Mr. Robert Krueger for a Use Permit for an automobile parking lot at the southwest corner of East Pine Street and South Central Avenue in an area zoned R-HD, High Density Multiple-Family Residential.
 6. Conditionally approved the request of Century Arms, Inc. by Reverend Harold Duncan for a Use Permit to construct 40 elderly housing units on the east side of Scarborough Drive between Century Boulevard and Wimbeldon Drive as Phase III of English Oaks Manor in an area zoned Planned Development District No. 4 (P-D(4)).

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$244,917.82 were approved on motion of Councilman Katnich, Schaffer second.

PERS INCREASE
GRANTED

RES. NO. 3732

City Manager Graves explained that the State recently enacted legislation which provides an option to members of the Public Employees' Retirement System to provide a cost of living adjustment to retired employees. He said this would be a one-time adjustment and there would be no further obligation on the part of the City unless some subsequent option is offered. This option would add 5% to the benefits of all employees retired prior to December 31, 1970. The total cost to the City had been calculated to be approximately \$51,000. This amount may be paid over a three, five or ten year period.

The City Manager read a letter received from Mr. George Robles, Committee Chairman for the Retired Employees, 604 N. Church Street. Mr. Robles, who was in the audience, then commented on the proposal and asked the Council to give favorable consideration to the 5% increase.

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On motion of Councilman Katnich, Mayor Ehrhardt second, the City Council adopted Resolution No. 3732 stating the Council's intent to approve an amendment to the contract between the Board of Administration of the Public Employees' Retirement System and the City Council of the City of Lodi.

**AWARD - ASPEN
GROVE DRIVE
STORM DRAIN**

City Manager Graves presented bids received for the Aspen Grove Drive storm drain as follows:

RES. NO. 3733

Floyd Johnston Constr. Co., Inc.	\$14,583.00
Valley Irrigation Company	17,293.50
S. M. McGaw Co., Inc.	18,388.00
Teichert Construction	19,225.00
Parrish, Inc.	19,281.50

The City Manager recommended the award be made to the low bidder for the total amount of \$14,583.00.

On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3733 awarding the contract for the construction of the Aspen Grove Drive storm drain to Floyd Johnston Construction Company, Inc., for a total of \$14,583.00.

**AUTHORIZE
SPECIAL
SALARY
SURVEY**

On motion of Councilman Hughes, Schaffer second, the Council authorized a special salary survey to be conducted by Griffenhagen-Kroeger, Inc. of San Francisco and authorized the City Manager to execute the agreement on behalf of the City.

**STREET
LIGHTS**

The City Manager presented a memorandum received from the Utility Director recommending installation of street lights on existing wood poles on Lockeford Street between Church Street and the Southern Pacific Company railroad tracks and on Sacramento Street between Locust Street and Lockeford Street.

On motion of Councilman Katnich, Schaffer second, the Council approved the recommendation as presented.

**APPRENTICE
ELECTRICIAN
PROGRAM
APPROVED**

City Manager Graves presented the Apprentice Electrician program for Council approval. He said the program had been worked out with representatives of the International Brotherhood of Electrical Workers and was similar to the Apprentice Lineman program adopted earlier.

RES. NO. 3734

The Council then adopted Resolution No. 3734 approving the Apprentice Electrician program on motion of Councilman Katnich, Schaffer second.

**SPORTSMAN'S
CLUB LEASE**

On motion of Councilman Schaffer, Katnich second, the Council approved extension of the lease with the Lodi Sportsman's Club for a parcel on the Mokelumne River adjacent to the City's property for a period of two years at \$425 per year, effective January 1, 1973.

**LEAGUE
COMMITTEE
APPOINTMENTS**

Mayor Ehrhardt announced that several Councilmen had been appointed to serve on various committees of the League of California Cities for the coming year.

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ORDINANCES

ANNEX
E. E. WISNER
ADDN #1

ORD. NO. 995
ADOPTED

ORDINANCE NO. 995, entitled, "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UN-INHABITED TERRITORY, DESIGNATED 'E. E. WISNER ADDITION NO. 1' TO THE CITY OF LODI," having been introduced at a regular meeting on February 7, 1973, was brought up for passage on motion of Councilman Katnich, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - HUGHES, KATNICH,
SCHAFFER and EHRHARDT

Noes: Councilmen - None

Absent: Councilmen - PINKERTON

ANNEX
E. E. WISNER
ADDN #2

ORD. NO. 996
ADOPTED

ORDINANCE NO. 996, entitled, "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UN-INHABITED TERRITORY, DESIGNATED 'E. E. WISNER ADDITION NO. 2,' TO THE CITY OF LODI," having been introduced at a regular meeting on February 7, 1973, was brought up for passage on motion of Councilman Schaffer, Katnich second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - HUGHES, KATNICH,
SCHAFFER and EHRHARDT

Noes: Councilmen - None

Absent: Councilmen - PINKERTON

ESTABLISH
SERVICE
REQUIREMENTS

ORD. NO. 997
ADOPTED

ORDINANCE NO. 997, entitled, "AN ORDINANCE ESTABLISHING REQUIREMENTS FOR UNDERGROUND SERVICE ENTRANCE IN THE DOWNTOWN UNDERGROUND UTILITY MASTER PLAN AREA," having been introduced at a regular meeting on February 7, 1973, was brought up for passage on motion of Councilman Schaffer, Katnich second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - HUGHES, KATNICH,
SCHAFFER and EHRHARDT

Noes: Councilmen - None

Absent: Councilmen - PINKERTON

SHIRTSLEEVE
SESSIONS

Councilman Schaffer asked that the City Manager and City Attorney discuss proposed legislation affecting cities at a future "shirtsleeve" session of the Council. Councilman Katnich then suggested the sessions be held in the afternoon rather than in the morning.


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CAC

Mayor Ehrhardt acknowledged letters received from persons involved and interested in the Community Action Council programs. The letters requested support for continuation of the programs.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:24 p.m. on motion of Councilman Hughes.


Attest: BESSIE L. BENNETT
City Clerk